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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/540,584	01/20/2006	Isao Akada	KC-US030807	5379
22919 7590 03/20/2008 GLOBAL IP COUNSELORS, LLP 1233 20TH STREET, NW, SUITE 700 WASHINGTON, DC 20036-2680				
EXAMINER				
NGUYEN, PHU K				
ART UNIT		PAPER NUMBER		
2628				
MAIL DATE		DELIVERY MODE		
03/20/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/540,584

Applicant(s)

AKADA ET AL.

Examiner

Phu K. Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SG/US)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 4-10 are rejected under 35 U.S.C. 102(b) as being anticipated by TORU (JP 01-244747).

As per claim 1, Toru teaches the claimed "computer readable medium encoded with an image display control program for displaying a plurality of objects on a display unit of a video game device from a plurality of angles, the computer image display control program comprising:

"code for receiving an operation from an operator via an operation unit" (Toru, the viewpoint changing operation; paragraphs [0039]-[0040]);

"code for moving a camera viewpoint in accordance with the operation received by the operation reception function, with respect to a reference point" (Toru, the perpendicular projection of point W on the line connect Ca and Cb, figure 5, [0041]-[0043]) "selected from at least two points" (Toru, there are many points on the lines Ca-Cb) "on a straight line linking a first object and a second object among the plurality of objects" (Toru, the straight line connects Ca and Cb); and

"code for displaying a camera image display control function which causes at least one image-of the first and second objects from the camera viewpoint after being that was moved" (Toru, the displayed image; [0060]-[0061]).

As per claim 4, Toru teaches the claimed "computer readable medium encoded with an image display control program for displaying a plurality of objects on a display unit of a video game device from a plurality of angles", the computer image display control program comprising:

"code for receiving an operation reception function which causes the video game an operation from an operator via an operation unit" (Toru, the viewpoint changing operation; paragraphs [0039]-[0040]);

"code for annularly moving a camera view point movement function that causes a camera viewpoint in accordance with the operation around a reference point" (Toru, the perpendicular projection of point W on the line connect Ca and Cb, figure 5, [0041]-[0043]) "selected from at least two points" (Toru, there are many points on the lines Ca-Cb) "on a straight line linking a first object and a second object among the plurality of objects" (Toru, the straight line connects Ca and Cb); and

"code for displaying a camera image display control function that causes at least one of the first and second objects on the display unit as-seen from the camera viewpoint after being moved that was moved by means of the camera viewpoint movement function" (Toru, the displayed image; [0060]-[0061]).

As per claim 5, Toru teaches the claimed "image display control method for displaying a plurality of objects on a display unit of a video game device from a plurality of angles", comprising:

"receiving an operation in the video game device from an operator via an operation unit" (Toru, the viewpoint changing operation; paragraphs [0039]-[0040]);

"moving a camera viewpoint, in accordance with the operations received in the operation reception step, with respect to a reference point" (Toru, the perpendicular projection of point W on the line connect Ca and Cb, figure 5, [0041]-[0043]) "selected from at least two points" (Toru, there are many points on the lines Ca-Cb) "on a straight line linking a first object and a second object among the plurality of objects" (Toru, the straight line connects Ca and Cb); and

"displaying on the display unit of the video game device at least one image of the images of the first and second objects from the camera viewpoint after being moved" (Toru, the displayed image; [0060]-[0061]).

As per claim 6, Toru teaches the claimed "image display control device which displays a plurality of objects on a display unit from a plurality of angles", comprising:

"an operation reception means which receives an operation from an operator via an operation unit" (Toru, the viewpoint changing operation; paragraphs [0039]-[0040]);

"a camera viewpoint movement means that causes a camera viewpoint to move, in accordance with the operation received by the operation reception means, with respect to a reference point" (Toru, the perpendicular projection of point W on the line connect Ca and Cb, figure 5, [0041]-[0043]) "selected from at least two points" (Toru, there are many points on the lines Ca-Cb) "on a straight line linking a first object and a second object among the plurality of objects" (Toru, the straight line connects Ca and Cb); and

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"a camera image display control means that causes at least one of the first and second objects to be displayed on the display unit from the camera viewpoint after being that was moved by the camera viewpoint movement means" (Toru, the displayed image; [0060]-[0061]).

Claim 7 adds into claim 1 "the reference point is located closer to the first object than to the second object" (Toru, the projection of the viewpoint W on the line connecting CaCb lies outside segment CaCb and on Ca side. In other word, the order of three points on the line is ProjW – Ca - Cb), and "the length between the first object and the second object is shorter than the length between the reference point and the second object" (Toru, inherent from the order of three points on the line being ProjW – Ca – Cb).

Claim 8 adds into claim 1 "the reference point is located closer to the first object than to the second object" (Toru, the projection of the viewpoint W on the line connecting CaCb lies inside segment CaCb and closer on Ca side. In other word, the order of three points on the line is Ca – ProjW - Cb), and "the length between the first object and the second object is longer than the length between the reference point and the second object. (Toru, inherent from the order of three points on the line being Ca - ProjW – Cb).

Claim 9 adds into claim 5 "the reference point is located closer to the first object that to the second object" (Toru, the projection of the viewpoint W on the line connecting CaCb lies outside segment CaCb and on Ca side. In other word, the order of three points on the line is ProjW – Ca - Cb), and "the length between the first object and the second object is shorter than the length between the reference point and the second object" (Toru, inherent from the order of three points on the line being ProjW – Ca – Cb).

Claim 10 adds into claim 5 "the reference point is located closer to the first object that to the second object" (Toru, the projection of the viewpoint W on the line connecting CaCb lies inside segment CaCb and closer on Ca side. In other word, the order of three points on the line is Ca – ProjW - Cb), and "the length between the first object and the second object is longer than the length between the reference point and the second object. (Toru, inherent from the order of three points on the line being Ca - ProjW – Cb).

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over TORU (JP 01-244747) in view of EA Sport.

Claim 2 adds into claim 1 "code for determining the operation reception function determines a tilt direction of the operation unit, wherein and the camera viewpoint is annularly moved around the reference point, and is moved in accordance with an angle corresponding to the tilt direction" which Toru does not teach. However, such movement of the camera is just a mere design according to its application. EA Sport teaches "wherein the operation reception function determines a tilt direction of the operation unit" (EA Sport, Executing Shots, page 37); and the camera viewpoint movement function causes the camera viewpoint to move in a circle around the reference point, and in accordance with an angle corresponding to the tilt direction determined by the operation reception function" (EA Sport, Camera editor, page 34). It would have been obvious, in view of teaching of EA Sport, to configure Toru's method as claimed because the adjustment of the viewpoint is applied according to each specific case of event and/or sport (Toru, [0061]).

Claim 3 adds into claim 1 "code for receiving the operation reception function receives a camera viewpoint height operation from the operator to adjust the height of the camera viewpoints and code for adjusting the camera viewpoint move to the height based upon the camera viewpoint height operation" which Toru does not teach. However, such movement of the camera is just a mere design according to its application. EA Sport teaches "wherein the operation reception function receives a

camera viewpoint height operation from the operator that adjust the height of the camera viewpoint; and the camera viewpoint movement function causes the camera viewpoint to move to a height based upon the camera viewpoint height operation received by the operation reception function" (EA Sport, Camera editor, page 34). It would have been obvious, in view of teaching of EA Sport, to configure Toru's method as claimed because the adjustment of the viewpoint is applied according to each specific case of event and/or sport (Toru, [0061]).

RESPONSE TO APPLICANT'S ARGUMENTS:

Applicant's arguments filed on December 10, 2007 are deemed to be moot due to new ground of rejection.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phu K. Nguyen whose telephone number is (571) 272 7645. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on (571) 272 7664. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Phu K. Nguyen/
Primary Examiner, Art Unit 2628